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6  
7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,	)	No. 10-00041 DLJ
	)	
11 Plaintiff,	)	STIPULATED REQUEST TO CONTINUE
	)	EVIDENTIARY HEARING DATE TO
12 v.	)	AUGUST 27, 2010 AND ORDER
	)	
13	)	
14 GREGORY E. CRAWFORD,	)	
	)	Hearing Date: July 16, 2010
15 Defendant.	)	Time: 11:00 a.m.
	)	
	)	

16  
17 The above-captioned matter is set on July 16, 2010 before this Court for an evidentiary  
18 hearing on a motion to suppress. The parties jointly request that the Court continue this matter to  
19 August 27, 2010 at 11:00 a.m. for the hearing.

20 Mr. Crawford is charged with possession with intent to distribute marijuana and as a  
21 felon in possession of a firearm. Mr. Crawford has filed a motion to suppress and, after a  
22 hearing on the motion, the Court set this matter on July 16, 2010 for an evidentiary hearing. The  
23 parties request a continuance to August 27, 2010 because the defense counsel who filed the  
24 motion, Ned Smock, is unavailable on an extended leave. The Federal Public Defender has since  
25 reassigned the case to Angela Hansen. Ms. Hansen will need additional time to review the  
26 discovery, to familiarize herself with the motion and to prepare for the evidentiary hearing. For

1 this reason, the parties agree that the evidentiary hearing should be continued to August 27,  
2 2010.

3 The parties further stipulate and agree that the ends of justice served by this continuance  
4 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the  
5 parties agree that the period of time from July 16, 2010 to August 27, 2010, should be excluded  
6 in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and  
7 (B)(iv), for effective preparation of defense counsel and for continuity of defense counsel, taking  
8 into account the exercise of due diligence. The parties further agree that time should be  
9 excluded under § 3161(h)(1)(D) due to the delay resulting from the Court's consideration of the  
10 pretrial motion to suppress that was filed in this case.

11  
12 DATED: July 7, 2010

\_\_\_\_\_  
/S/  
SKYE DAVIS  
Assistant United States Attorney

13  
14  
15 DATED: July 7, 2010

\_\_\_\_\_  
/S/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

16  
17 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
18 within this e-filed document.

\_\_\_\_\_  
/S/ ANGELA M. HANSEN

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. Given that new defense counsel has been assigned to handle defendant's case;
2. Given that new defense counsel needs additional time to review the discovery, to review the motions and to prepare for the evidentiary hearing in this case;
3. Given that these above-listed tasks are necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;
4. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial; and
5. Given that the defense has filed a pretrial motion to suppress and that the Court is considering this motion;

Based on these findings, it is ordered that the evidentiary hearing set for July 16, 2010 is continued to August 27, 2010 at 11:00 a.m. It is further ordered that the period of time from July 16, 2010 to August 27, 2010, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel and for continuity of defense counsel, taking into account the exercise of due diligence. It is further ordered that time is excluded under § 3161(h)(1)(D) due to the delay resulting from the Court's consideration of the pretrial motion to suppress that was filed in this case.

DATED: July 9, 2010

  
HON. D. LOWELL JENSEN  
Senior United States District Judge